

Director's Rule 4-89

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| Applicant CITY OF SEATTLE DEPARTMENT OF CONSTRUCTION AND LAND USE | Page | of | Supersedes |
| | 1 | 5 | 30-88 |
| | Publication | | Effective |
| | 12/30/88 | | 2/1/89 |
| Subject Determination of Residential Setbacks in the Shoreline District | Code and Section Reference | | |
| | Seattle Shoreline Master Program | | |
| | Section 23.60.198 SMC | | |
| | Type of Rule | | |
| Index Land Use - Technical Requirements | Code Interpretation | | |
| | Ordinance Authority | | |
| | 3.06.040 | | |
| | Approved | Date | |
| | <i>Dennis J. McLerran</i> 1/23/89 | | |

PURPOSE

Section 23.60.198B of the Seattle Shoreline Master Program states that, "Residences on waterfront lots shall not be located further waterward than adjacent residences. If there are no other residences within one hundred feet, residences shall be located at least twenty-five feet back from the line of ordinary high water." The purpose of this Rule is to set forth uniform techniques to determine these residential setbacks in order to preserve and enhance views of the water, to maintain existing residential character, and to help all interested parties to quickly and accurately establish development standards.

RULE

A. Definitions

1. "Deck" means an unenclosed platform that extends more than eighteen inches from a structure. A deck may be cantilevered or connected to the ground by posts and may have steps or ramps to the ground and a door to the structure. A deck with an open railing forty-two inches or less in height shall be considered unenclosed.
2. "Director" means the Director of the Department of Construction and Land Use or his or her designee.
3. "Residence" means the principal structure(s) on a lot as distinguished from any separate structures or buildings housing accessory uses. The Director shall determine which structure or building is the principal structure or building in the Shoreline District.
4. "Deck Setback Line" means the closest distance to the shoreline permitted for new decks or additions to decks.

5. "Residential Setback Line" means the closest distance to the shoreline permitted for new residences or additions to residences.
6. "Adjacent Residence" means any existing or approved principal structure(s), located both within the Shoreline District (within 200' of the shoreline) and within one hundred feet of any portion of the subject residence or site. Existing or approved residences located on the same lot as the subject residence or site shall not be classified as adjacent for the purposes of this Rule. When there is more than one principal structure on a lot, the adjacent residence for setback determination purposes, shall be the principal structure closest to the shoreline, or as determined by the Director.

B. Shoreline Setback Required

No residence or portion thereof shall be located shoreward of the residential setback line and no deck or portion thereof shall be located shoreward of the deck setback line except:

- Additions to existing residences when the addition is located entirely landward of the existing residence, does not increase the width of the existing residence relative to the shoreline, is no higher than that portion of the existing residence that is on its waterward side, and is determined by the Director to not obscure shoreline views from adjacent residences.
- Decks or portions of decks that are less than eighteen inches above the level of existing or finished grade, whichever is lower, provided that no portion of a deck constructed shoreward of the deck setback line pursuant to this provision shall be used to draw the deck setback line for another lot; and
- Eaves that project no more than eighteen inches.

Architectural features including projecting windows shall not be constructed in the shoreline setback area.

C. Methods of Determining the Residential Setback Line and Deck Setback Line

1. Method when there are no adjacent residences.

The residential setback line and deck setback line shall be twenty-five (25) feet from the shoreline. See Diagram 1.

2. Method when there are adjacent residences on each side and the shoreline is regular.
 - i. The residential setback line shall be determined by drawing a line between the nearest shoreside corners of the closest adjacent residences located on either side of the site, provided, however,

that when such building faces are irregular, the line shall be drawn between the corners located closest to the shoreline. See Diagram 2.

- ii. The deck setback line shall be determined by drawing a line between the nearest shoreside corners of existing or approved decks of the closest adjacent residences located on either side of the site. See Diagram 2. Where there is an existing or approved deck on only one side of the site, the deck setback line shall be drawn from the nearest corner of that deck to the nearest shoreside corner of the wall of the other adjacent residence. See Diagram 3. When neither adjacent residence has a shoreside deck, the deck setback line shall be the residential setback line. When building or deck faces are irregular, the line shall be drawn between the deck or structure corners located nearest the shoreline.
3. Method when there is an adjacent structure on one side and the shoreline is regular.
 - i. The residential setback line shall be drawn so that the proposed residence is no nearer the shoreline than any point of the principal structure of the closest adjacent residence. See Diagram 4.
 - ii. The deck setback line shall be drawn so that the proposed deck is no nearer the shoreline than any point of the closest adjacent residence's shoreside deck. If the adjacent residence has no shoreside deck, the deck setback line shall be the same line as the residential setback line. See Diagram 4.
4. Methods when the shoreline forms a cove at the site.
 - i. When there is an adjacent residence on only one side of the site, the residential setback line shall be one of the following, whichever is least:
 - twenty-five (25) feet; or
 - the residential setback line determined by using the method in Section C3i of this Rule.
 - ii. When there is an adjacent residence on only one side of the site, the deck setback line shall be one of the following, whichever is least:
 - twenty-five (25) feet; or
 - the deck setback line determined by using the method in Section C3ii of this Rule.

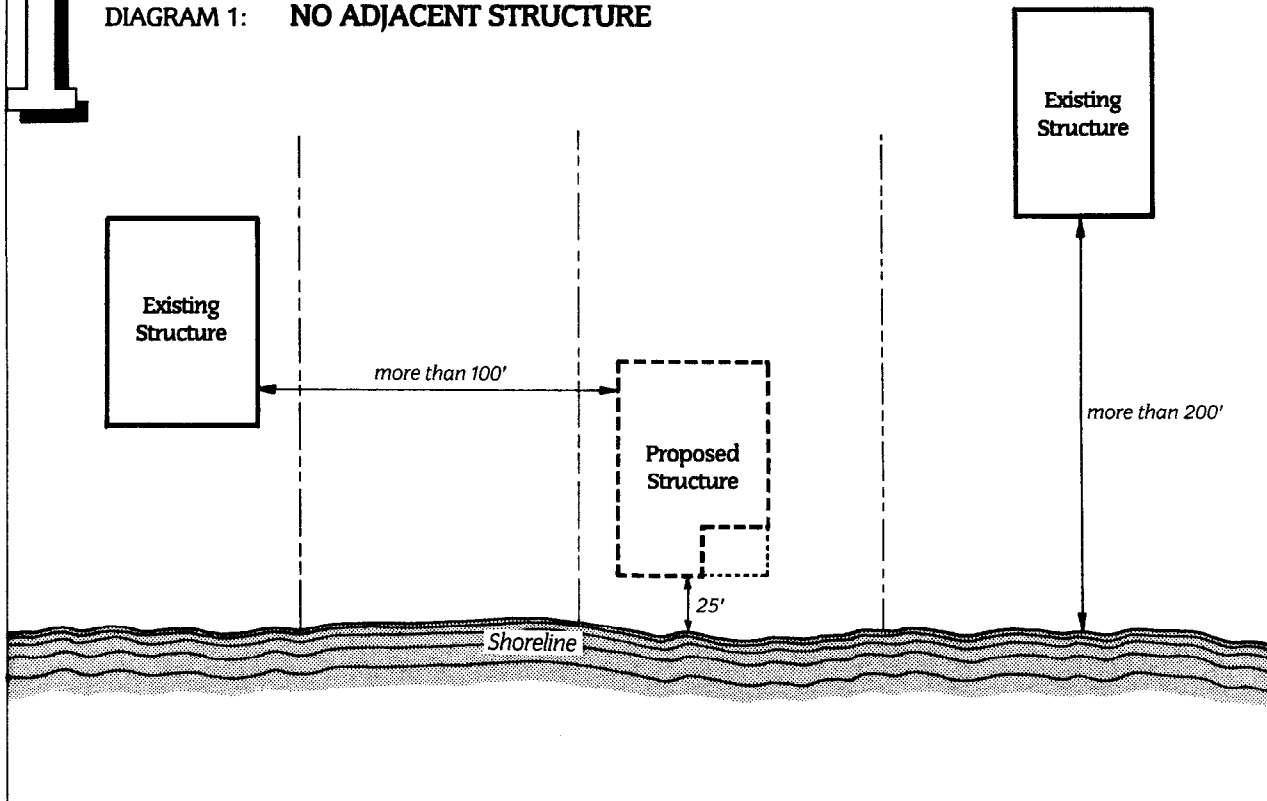
- iii. When there is an adjacent residence on each side of the site, the residential setback line shall be one of the following, whichever is least:
 - twenty-five (25) feet; or
 - the average of the distances of the most shoreward points of the two adjacent residences to the shoreline. See Diagram 5.
 - iv. When there is an adjacent residence on each side of the site, the deck setback line shall be one of the following, whichever is least:
 - twenty-five (25) feet; or
 - one of the following, whichever is applicable:
 - ° if the adjacent residences have shoreside decks, the average of the distances of those decks to the shoreline; or
 - ° if the adjacent residences do not have shoreside decks, the average of the distances of the two adjacent residences to the shoreline; or
 - ° if only one adjacent residence has a shoreside deck, the average of the distance of the adjacent residence's shoreside deck from the shoreline and the distance of the other adjacent principal structure from the shoreline.
5. Method when the shoreline projects at the site.
- i. When there is an adjacent residence on each side of the site, the residential setback line and deck setback line shall be drawn as set forth in section C2 of this Rule. See Diagram 2.
 - ii. When there is an adjacent residence on only one side of the site, the residential setback line shall be drawn by extending the shoreside wall of the principal portion of the adjacent structure across the site of the proposed structure, perpendicular to the side lot line. If the side lot line is skewed, the residential setback line shall be determined by the Director, after consideration of the Shoreline goals and policies. See Diagram 6.
 - iii. When there is an adjacent residence on only one side of the site, the deck setback line shall be drawn by extending the shoreside face of the deck of the adjacent residence across the site of the proposed structure, perpendicular to the side lot line. If the adjacent residence has no deck, the deck setback line shall be the same as the residential setback line. If the side lot line is skewed, the deck setback line shall be determined by the Director, after consideration of the Shoreline goals and policies. See Diagram 6.

6. If residences are not permitted to be located over water on the site, no over water structure corner or face of an adjacent residence shall be used to draw a residential setback line or deck setback line. In these cases, the residential setback line or deck setback line shall be drawn from that point on dry land that is nearest the building or deck corner prescribed in subsections C1-C5 of this Rule. See Diagrams 8 and 9.
7. If a setback determination method results in a residential or deck setback line that is either partially or entirely over water where a residential use is not permitted, the proposed structure may be built up to the edge of the shoreline, except as limited by subsection C8 of this Rule.
8. The Director may require that residences be further set back from the line determined by this Rule in order to provide for the construction of erosion control devices behind the residential setback line.

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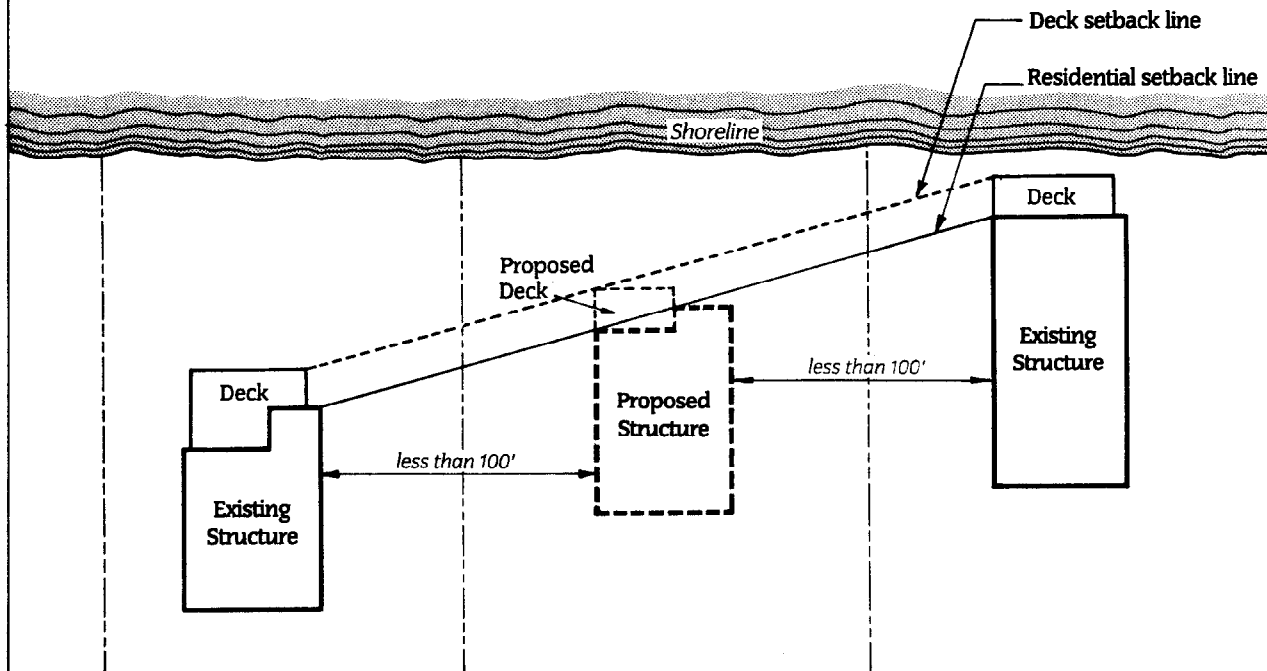
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DIAGRAM 1: NO ADJACENT STRUCTURE



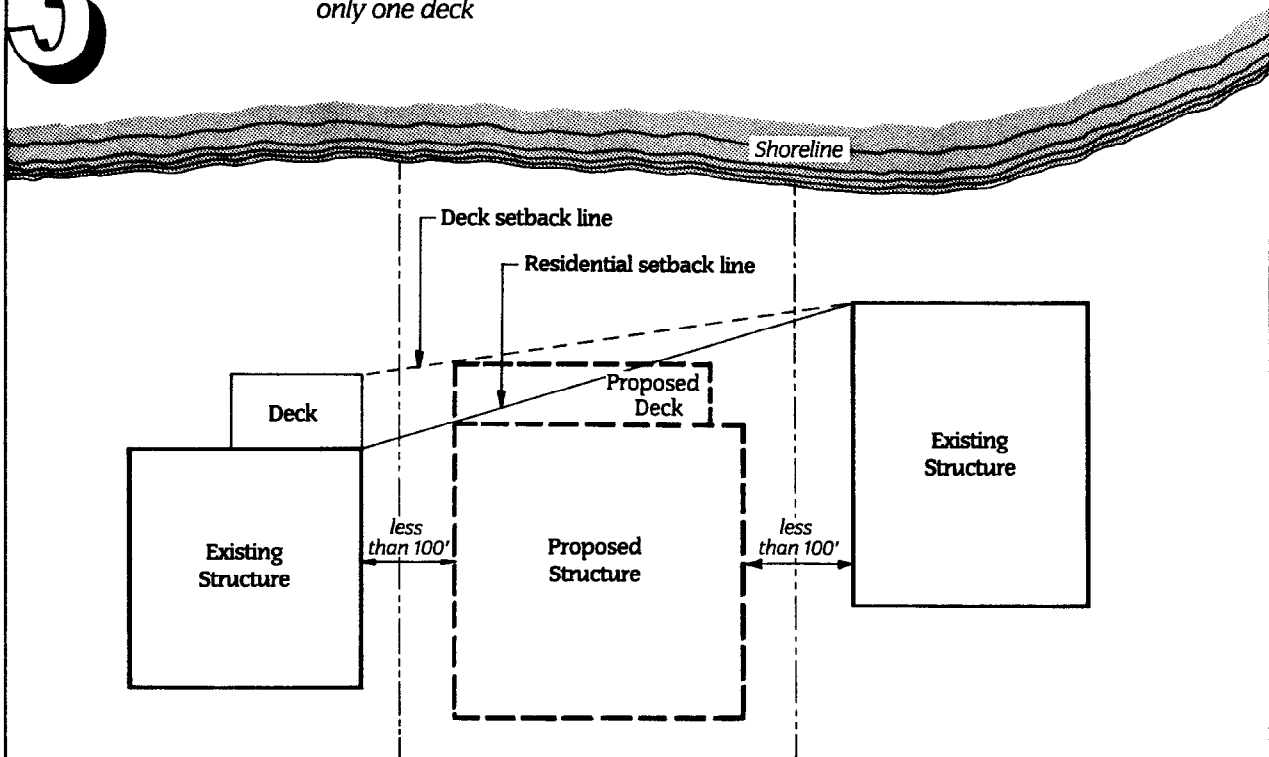
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DIAGRAM 2: ADJACENT STRUCTURES
on both sides; regular shoreline.



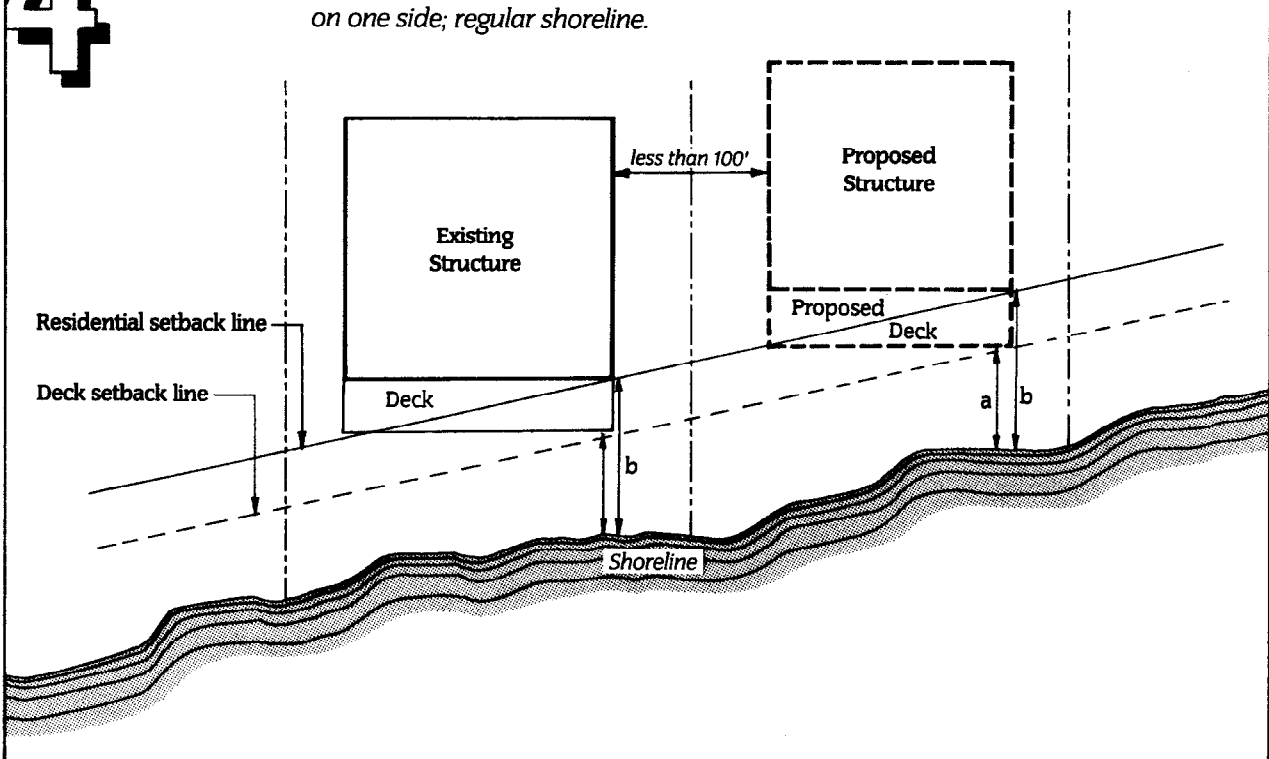
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DIAGRAM 3: TWO ADJACENT STRUCTURES,
only one deck



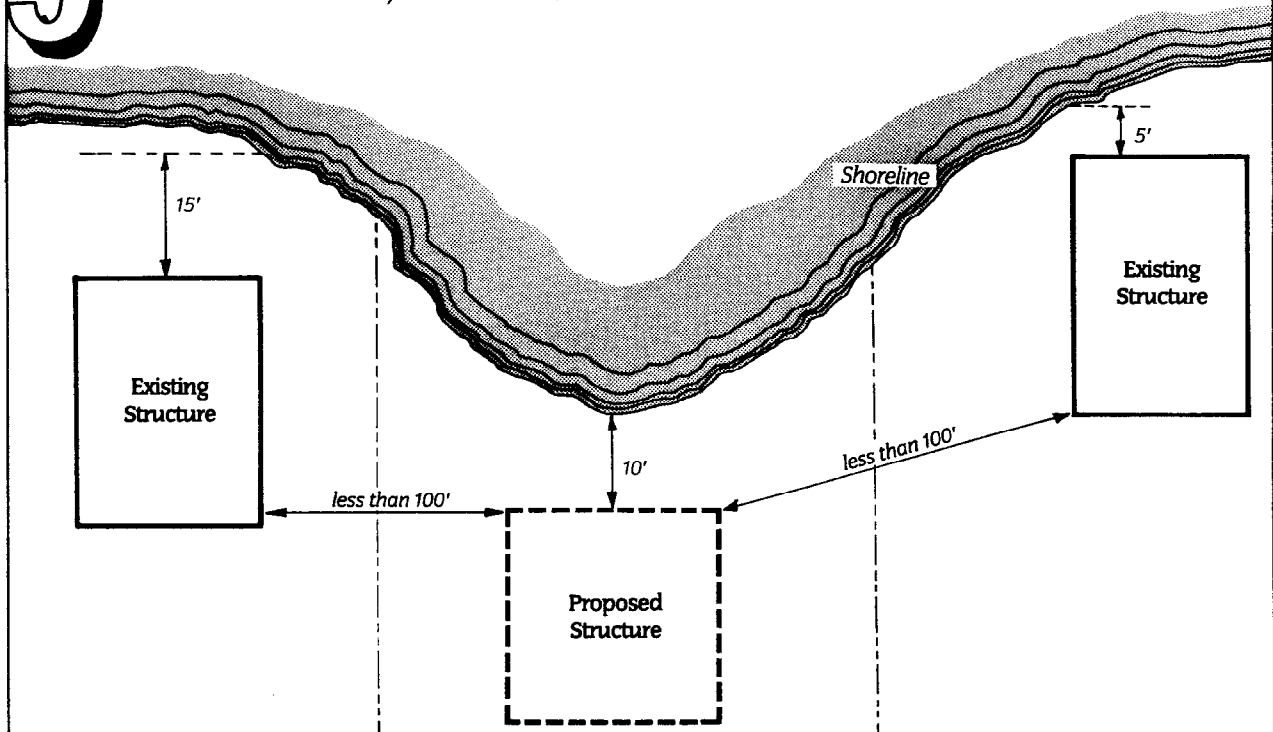
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DIAGRAM 4: ADJACENT STRUCTURE
on one side; regular shoreline.



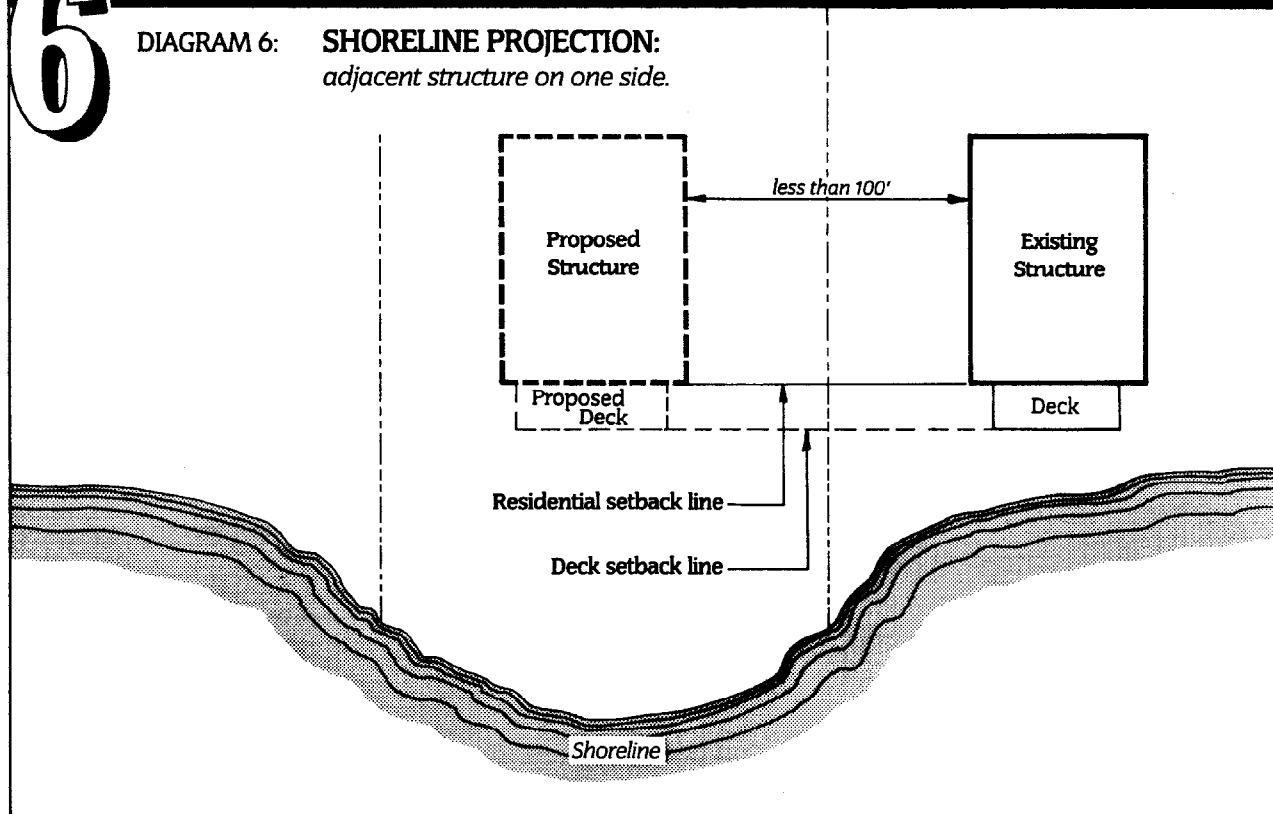
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DIAGRAM 5: **SHORELINE COVE:**
two adjacent structures



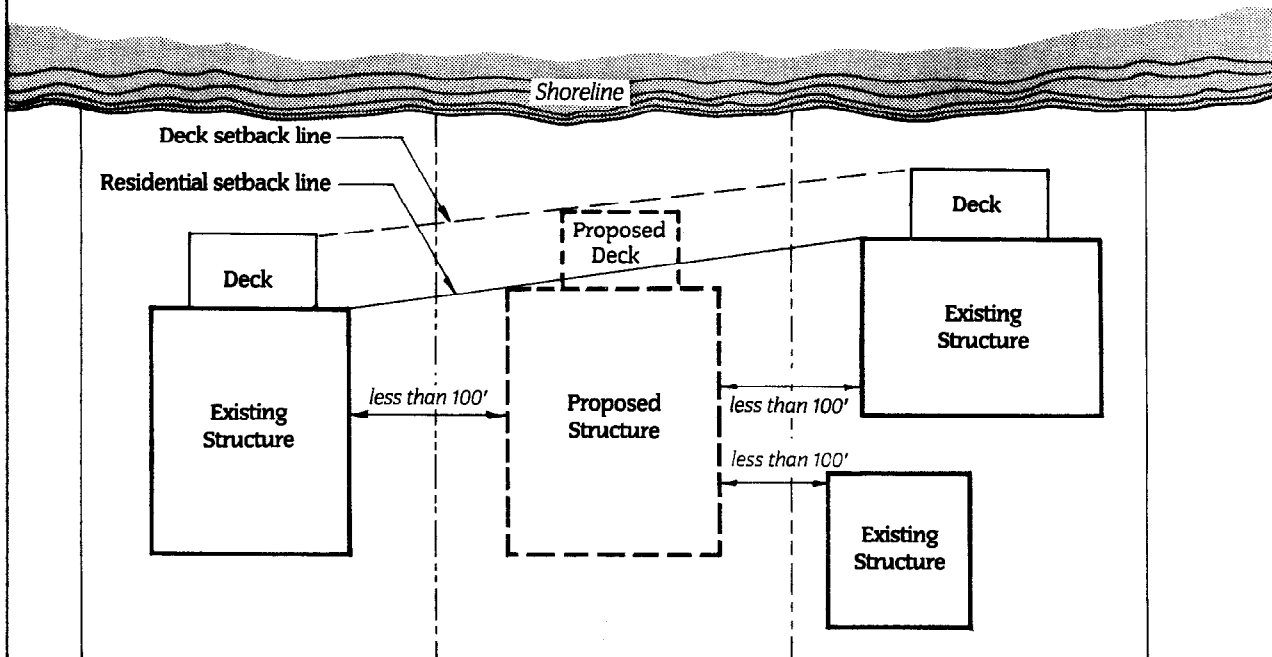
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DIAGRAM 6: **SHORELINE PROJECTION:**
adjacent structure on one side.



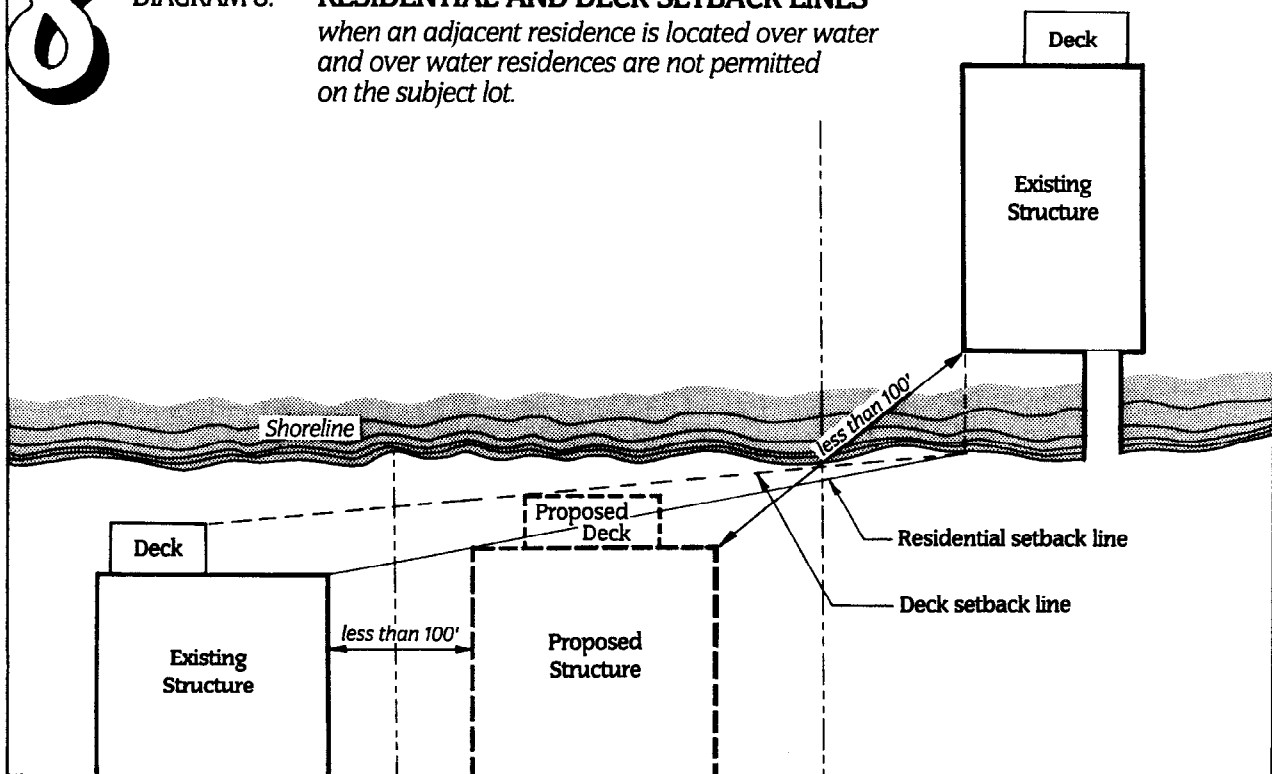
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DIAGRAM 7: MORE THAN ONE ADJACENT PRINCIPAL STRUCTURE ON GIVEN LOT
(see definition of "Adjacent Residence")



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DIAGRAM 8: RESIDENTIAL AND DECK SETBACK LINES
when an adjacent residence is located over water and over water residences are not permitted on the subject lot.



9

DIAGRAM 9: RESIDENTIAL AND DECK SETBACK LINES
*when an adjacent residence is located partially over water
 and over water residences are not permitted
 on the subject lot.*

